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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

TROY ANTHONY SHAY  
LA. DOC #179625  
VS.

CIVIL ACTION NO. 3:10-CV-0516

SECTION P

JUDGE ROBERT G. JAMES

ERIC L. JOSEPH, ET AL.

MAG. JUDGE KAREN L. HAYES

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, determining that the findings are correct under the applicable law,

**IT IS ORDERED** that Plaintiff's civil rights complaint be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim for which relief may be granted in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B).

**IT IS FURTHER ORDERED** that Plaintiff's state tort law claim is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

MONROE, LOUISIANA, this 29 day of June, 2010.

[Signature]  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE